App F IX 4

Previous References

1946 47
(ml)

File No 72 46
Serial Nos 7

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos

TO 0

Part B for Supply

SUBJECT

Payment of Rs 14000 sanctioned to the Maddur town municipality for the formation of town Extension

L 3134-35 of 25/8/45

D/c Manager Bk
— Comptroller to
Direct that the penal interest for
of Rs 1574-00 be waived and
the balance of Rs 3470-12-4
be recovered —

Ky

From the D C Mandya Dtd
No A5-1295/41-42 dated 7-6-1947
Requests sanction of Govt to waive the interest due on the loan of Rs 14,000/- sanctioned to the Maddur Town mty for formation of Town Exts
Sbd with a draft calling for certain details in the matter, for approval

46/M & A.D

19/6

21/6/47

U.O.386 D 21/6/47
Forwarded with Compliments.
to the completion of the proposal
in view of the facts stated by
the D C Mandya in his
Rc
Forwarded
21/6/47

CONTROLLER'S OFFICE
No 6
23-6-47
Special Section
BANGALORE

1st

Rc C.R Rao
23.6.47

25/21/47

U.O.No.36/M.A D dated the 17th July 1947.

Returned with Compliments.

3 A loan of Rs.14,000/- was sanctioned to the Maddur Minor Municipality in G.O.No.L.2308-10/Ml 10-41-5 dated 15-9-41 for the formation of Town Extension (Fl C No.782 dated 15-9-41). It was repayable in five equal annual instalments of Rs.3189-3-2 commencing from 6-3-43 The Municipality has repaid a sum of only Rs.14,000/- on 15-4-47 towards the principal portion of the loan. No amount has so far been received towards interest. The position of the loan account on 15-4-47 was as follows :

VD 01570—GI B—500 pads of 100 sheets each—12 2 46

9982/ml

Continuation Sheet | File No / Current No | Page

	Principal.	Annuity Amount of Interest at 4½%	Penal interest at 9% Ordinary portion	Penal interest at 9% Penal portion.	Total.
Due.	Rs. 14,000	Rs. 1945-15-10	Rs. 1524-13-1	Rs. 1524-13-1	18995-10-1
Paid	14,000	--	--	--	14000- 0-0
Balance still due.	--	1945-15-10	1524-13-1	1524-13-1	4995-10-1

As per terms of the order sanctioning the loan, due provision should have been made in the annual Budget of the Municipality for the annual payment of instalment with interest, but no action seems to have been taken in this behalf. Penal interest may perhaps, be waived, the ordinary and annuity interest being asked to be paid up.

Annty-1945-15-10
Ordy-1524-13-1
Rs 3470-12-11

Comptroller.

The Secretary to Government,
Revenue Department,
Bangalore.

Submitted for orders

The proposal of the Comptroller at A appears to be in order. The Municipality will have to pay Rs 3470/12/11 But it is for consideration whether the Mfg should be made to pay the amount as the possession of land acquired was given to the Mfg only during 1946-47 Govt could not take action to dispose of property to advance

8 The recommendation of the D.C is that Maddur Town Municipal Council may be exempted from payment of the interest and penal interest viz., Rs.4995-10-1 that is still due from it on account of the loan of Rs.14,000 that had been given to it

9 This matter was referred to the Comptroller unofficial -ly He has opined that penal interest viz. Rs 1524-13-2 may perhaps be waived and the balance viz., Rs 3470-12-11 may be recovered.

10 The Municipality has realised Rs 27,225/ from the sale of sites formed in the land that was acquired from the above loan amount. It has paid back the principal amount of the loan of Rs 14,000; and if it has to pay only the ordinary interest as proposed, it means the payment of a further sum of Rs.3,470-12-11 out of the Municipal Funds, or a total sum of (Rs.14,000 + Rs.3,470-12-11) = Rs 17470-12-11 from out of Rs.27,225/- realised from the sale of sites In this event, ~~also~~ the Municipality will have ~~made an additional income~~ an amount left over out of the sale proceeds of about Rs.10,000, even if the ordinary interest is paid.

11 In fact the lands were given possession of only during 1946-47. Hence the Municipality was unable to make repayments in time. It cannot therefore be justifiably saddled with the payment of a major portion of the interest due We may perhaps exempt the Municipality from the payment of both the ordinary and the penal interest which amount to (Rs 1,524-13-1 + Rs. 1,524-13-2) = Total Rs.3,049-10-3. Such a thing is desirable as the Municipality has to invest a large amount on the improvement of the area that is formed into sites by providing roads and drainage etc

FINANCE U O No E1 1024/46 6/8/46

Minister Rev & Comm Mysore Govt Secy

12) 8 4/8/46

13) There is no reason either in law or in equity to abate anything in our demand when the municipality took the loan the contract was to pay interest both ordinary and in case of default penal The expected default has been made and penal interest has become due A corporate body should set an example in honouring the contract it has entered into and not seek to cry off the bargain even if it turn out to its disadvantage

102-4/7C

OFFICE OF THE MINISTER FOR REVENUE
No 1646
Date 9 8 47

14) In this instance after paying every thing due, the municipality will have still made a profit of Rs 9000/-

15) Hence there is no reason to forego anything due to govt If this were to be sanctioned, we would be deluged from other borrowers to whom the same treatment cannot in fairness be refused.

16) The Fd Sy is technically correct but as the Lands were acquired after the agreement & the Municipality take, some consideration may be shown The penal interest may be waived & the balance recovered Vij Rs 3470-12-11

6 8 47

8/8

9/8 11/8

17) [illegible]

18) Send with a draft [illegible]

18/8/47

REVENUE SECTION
10 AUG 1947
REV SECTT

WD 01570—GPB—500 pads of 100 sheets each—12 / 46

250
Fin Com no 954 M/

Fin Secty's opinion has not been accepted

Drafts and Secy's 2 wtr cup

RO 26/8 May be sent to Fl Secy for the perusal of the Rev members orders

By 26/8 Fin Secy

26 8 W/

Issued By 27/8

To
The D C Mandya
The compt/ln to remit through the Fl Secl.
No L J 134-5/M/42-46-8 dt 25-8-47
Interest of Rs 1524-13-2 is waived & ordered to recover
Rs 1945-15-10

By 2/9

Mi 72-46-7

No A5 1295/41-42

Office of the Deputy Commissioner,
Mandya District,
Mandya, dated 7th June 1947.

From

K Mohamed Ahmed, Esq , B A ,
Deputy Commissioner,
Mandya District,
M a n d y a

9982
17 JUNE 1947
L S G BRANCH

To

Syed Abdul Aleem, Esq , B A ,
Secretary to Government,
Revenue Department,
B a n g a l o r e

REVENUE SECTT
No
Dt 13/6
GOVERNMENT OF MYSORE

Sir,

Re Payment of Rs 14,000/- being the loan amount sanctioned to Maddur Town Municipality for formation of Town Extention
--

I have the honour to state that the President, town Municipal Council, Maddur has reported that the Municipal - Council have resolved at their meeting held on 30-4-47 that the principal of Rs 14,000/- may be paid and the Government be requested to waive the interest due thereon (amounting to Rs 4816-3-10, as per letter received from the Comptroller) He has further reported that the loan was sanctioned during the year 1941-42 to meet the expenditure of acquisition cost and formation of sites in the new extensions, but the possession of the acquired lands was given to the Municipality during the current year, hence the annual instalments due from 1941-42 could not be paid During the current year a sum of Rs 27225/- was realised by the sale of sites The Municipal Council have resolved that as the financial position of the Municipality does not permit of any extra expenditure in view of the need for meeting their share of cost towards the watersupply, drainage schemes and the maintenance of the Municipal High School, the interest which has accured on the loan might be recommended to be waived The Municipal Council have credited the principal amount of Rs 14,000/- to the treasury The representation deserves consideration I, therefore, request you kindly to obtain sanction of Govt to waive the interest due on the loan viz , Rs 4816-3-10, as resolved by the Mumicipal Council

P T O

Extract from the proceedings of the general meeting proceedings of the Maddur Town Municipal council held on

30 3-47

Present
15

Absent
6

కం మ్యూ లరవరిందలోంట్ మొత్తం కట్టవలసిన బండిరువడి వివరం

లోంట్ మొలసు 14000-0-0
బడ్డి 1945-15-10
కుస్తి బడ్డి 2870 4-0
ఇమ్యూ 18816-3-10

కుర్చుండ్డి రికార్డు మాడలాయ్యె కర్ణాటరదింద ఎర్స్ట్ పీక్ట్ గాని మొలసు డియలాగిక్కు ఆదరి కారణాంతరదింద ఉప్పిజి పీక్ట్ మంజూరాగలు నావకాశవాదరింద ఈ మొలసు కూడలి వాయిదే చూడలు ఆగల్ల ఆద్దరింద లోంట్ మొలగన్ను అందాజి 14000/- జమామాడి బడ్డి/కోంటిరిసుబేకాగిద్దన కర్ణాటరద వరన్ను తుడరమీట్ల నక్ నాడే బరమూలక ప్రాతినుబేకాగిరి మొంటనిసులాయ్యె

"Extract" Sd B M Lakshmipathiah
President
30/3/47

B M [illegible]
President
Town Municipal Council
Maddur

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

Comptroller's Office, Bangalore

No 16/MAD

Dated 8 July

REV SECRETT. 9982 250 JLY 1947

The Secretary to the
Government of Mysore,
Revenue Department,
Bangalore.

Sir,

With reference to U O No.386 dated 21-6-47 forwarding for remarks the reference received from the Deputy Commissioner, Mandya, regarding the Loan Account of Maddur Town Municipal Council, I have the honor to state that the Treasury Challan for Rs 14,000/- in support of the credit on 15-4-47 towards the loan account has been called for from the President, Town Municipal Council, Maddur On receipt of the same, the loan account will be verified and the result intimated

I have the honor to be,
Sir,
Your most obedient servant,

Deputy Comptroller
(for Comptroller) on C L.

CV/8

GOVERNMENT OF MYSORE No Dec 1017

Sd

The B/c bearing Diary no 9982 on the above subject, has been ~~endorsed to the~~ forwarded to the comptroller's unofficially with this office no 386/21 6-47 & the same will be awaited in this office

yes till the end of this month

15/7

15/7

G R S App F VI—G 2]

SUBJECT

Diary No of letter replied to

General and Revenue Secretariat

( )

the *194*

Date of issue 25/8/ 194

Signed by M. G. R. Rao

May this be—

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette English Part ?

(iv) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette Kannada Part ?

Section GNL

File No 72-46

Serial No 8

Proceedings of the Government of His Highness the Maharaja of Mysore

Read— G O No L 2308-10/GNL 10-41 5 dated 15 9-1941, sanctioning the grant of a loan of Rs 1,000/- on certain conditions, to the Maddur Minor mdlty for the formation of a Town exten

2 Letter no. A5-1295/41-42 dated 17 6 from the D C Mandya Dist stating that the Madd Town mdl cl have at their meeting held on 30-4- resolved that although the loan for the purpose, ~~Order thereon—No~~ was sanctioned during the year 1941-42, th possession of the acquired lands was given to only mdlty during the year 1946-47, ~~therefore only~~ the principal of Rs 14,000 be paid, the Govt- being requested to waive the interest due thereon and requesting in the circumstance sanction to the resolution, adding that the mdl cl have already credited the Govt principal of Rs 14,00

to the treasury out of the sum of Rs 27,225/-
realised by the sale of plots ~~and have to~~
~~meet the share of cost towards the maintenance~~
~~of the new High School, water supply & drainage~~
~~schemes~~

J U O note no 36/MDD dated
17-7-47 from the Comptroller to Govt-
proposing that the penal interest amounting to
Rs 1524-13-2 on treasure bonds
~~Rs 1542-13-2~~ be waived, the
ordinary and annuity interest amounting
to Rs 3470-12-11, being ~~asked to be~~ received from the Delhi
~~Govt rep~~

Order no L 3134-5 ~~GL 72-46~~ 8/d-25/8/47.
reported,

In the circumstances Govt are
pleased to ~~order~~ direct that the penal interest ~~of~~
be waived and the balance viz Rs 3470-12-11
shall be recovered

The D.C. Mandya may please
to move the above amount credited to Govt very early

for Sec'y

To the D C Mandya Dist with Records
the Comptroller to Govt Thro The Treasy

List of Enclosures

Copied by

Examined by

to annuity interest
representing
of Rs 1945-15-10 and
ordinary interest of Rs 1524-13-2
above loan amt
due on the